



Docket No.: 19603/3286 (CRF DC 2062B)

#5  
Response 1638  
PATENT  
RECEIVED  
AUG 14 2001  
FBI CENTER 1600 0930

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kim et al.  
Serial No. : 09/596,958 ✓  
Cnfrm. No. : 5427  
Filed : June 20, 2000  
For : HYPERSENSITIVE RESPONSE ELICITOR  
FROM *ERWINIA AMYLOVORA* AND ITS  
USE

Examining:  
A. Kubalik

Art Unit:  
1638 ✓

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith in the above-identified application are:

- ☒ Second Preliminary Amendment;
- ☒ Statement in Accordance with 37 C.F.R. § 1.821(g);
- ☒ Sequence Listing (4 pages) and computer readable 3.5" diskette;
- ☒ A copy of Notice to Comply; and
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.

☒ The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 14-1138.

**A duplicate copy of this sheet is enclosed.**

Dated: August 6, 2001

Edwin V. Merkel  
Registration No. 40,087

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603  
Telephone: (716) 263-1128  
Facsimile: (716) 263-1600

Certificate of Mailing - 37 CFR 1.8 (a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. on the date below.	
8/6/01	
Date	Wendy L. Harold